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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on February 23, 2009
Date

/Amy DeCloux/

Signature

Amy DeCloux

Typed or printed name of person signing Certificate

54,849

Registration Number, if applicable

(617) 239-0294

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

- Response to Denial Of Request For Power Of Attorney
- Duplicate Statement under 37 C.F.R.3.37(b) from University of Zurich, filed December 2008. (1 page)
- Duplicate Statement under 37 C.F.R. 3.73(b) from Novartis, filed December 24, 2008. (1 page)
- Duplicate copy of Power of Attorney from University of Zurich, filed December 24, 2008. (1 page)
- Duplicate copy of Power of Attorney from Novartis, filed December 24, 2008. (1 page)
- Copy of Improper Denial Of Request For Power Of Attorney (1 page)

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Carmen Barske et al.

Application No.: 10/538,201

Confirmation No.: 1795

Filed: June 9, 2005

Art Unit: 1647

For: ANTIBODY ("11C7") ANTI NOGO AND ITS
PHARMACEUTICAL USE

Examiner: S. L. Wegert

IMPROPER DENIAL OF REQUEST FOR POWER OF ATTORNEY

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner;

This communication is in response to the Notice of Denial for Power of Attorney mailed January 28, 2009.

The Notice states that the request for Power of Attorney cannot be granted at this time because "the Certificate required by 37 C.F.R. 3.73(b) has not been received".

However, Applicant filed the Certificate required by 37 C.F.R. 3.73(b) on December 24, 2008, and this filing is corroborated by the image file wrapper of the above application on PAIR.

PAIR shows the above Certificate required by 37 C.F.R. 3.73(b) as being filed for each of the two assignees. Listed under each of two designations of "power of attorney" in PAIR is a pair of papers: (1) a one page power of attorney and (2) a one page Statement under 37 C.F.R. 3.37(b). Each assignment has been recorded by the USPTO.

Reconsideration of the denial of request for power of attorney is respectfully requested.

Dated: February 23, 2009

Respectfully submitted,

By *Amy DeCloux*
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/538,201	03/08/2006	Carmen Barske	PN/4-32761A

CONFIRMATION NO. 1795

1095
 NOVARTIS
 CORPORATE INTELLECTUAL PROPERTY
 ONE HEALTH PLAZA 104/3
 EAST HANOVER, NJ 07936-1080

COPY

Cc: EDWARDS ANGELL PALMER & DODGE LLP
 Kathleen Williams
 P.O. Box 55874
 Boston, MA 02205

Date Mailed: 01/28/2009

DENIAL OF REQUEST FOR POWER OF ATTORNEY

The request for Power of Attorney filed 12/24/2008 is acknowledged. However, the request cannot be granted at this time for the reason stated below.

- ☐ The revocation is not signed by the applicant, the assignee of the entire interest, or one particular principal attorney having the authority to revoke.
- ☒ The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(b) has not been received.
- ☐ The person signing for the assignee has omitted their empowerment to sign on behalf of the assignee.
- ☐ The inventor(s) is without authority to appoint attorneys since the assignee has intervened as provided by 37 CFR 3.71.
- ☐ The signature(s) of _____, a co-inventor in this application, has been omitted. The Power of Attorney will be entered upon receipt of confirmation signed by said co-inventor(s).
- ☐ The person(s) appointed in the Power of Attorney is not registered to practice before the U.S. Patent and Trademark Office.

Questions relating to this Notice should be directed to the Application Assistance Unit.


 Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101